



**MINUTES OF THE CITY COUNCIL
OF THE CITY OF HAYWARD
City Council Chambers
777 B Street, Hayward, CA 94541
Tuesday, September 20, 2005, 8:00 p.m.**

MEETING

The Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Halliday.

ROLL CALL

Present: COUNCIL MEMBERS Jimenez, Quirk, Halliday, Ward, Henson
MAYOR Cooper
Absent: COUNCIL MEMBER Dowling

PUBLIC COMMENTS

Henry Villalobos reiterated that he is forming a committee to begin an international culture center and thanked Council for its support. He commented on the committee membership and provided a telephone number.

Mayor Cooper suggested Mr. Villalobos join other organizations such as sister cities committees and particular ethnic groups in Hayward to invite them to participate in this endeavor.

CONSENT

1. Approval of Minutes of the Special Joint City Council/Redevelopment Agency Meeting of September 13, 2005

It was moved by Council/RA Member Jimenez, seconded by Council/RA Member Quirk, and carried with Council/RA Member Dowling absent, to approve the minutes of the Special Joint City Council/Redevelopment Agency Meeting of September 13, 2005.

PUBLIC HEARINGS

2. Amendments to Public Works Stormwater Management and Urban Runoff Control Ordinance and the Ordinance Relating to Driveway Materials

Staff report submitted by Director of Public Works Bauman, dated September 20, 2005, was filed.

Director of Public Works Bauman made the staff report, noting that new regulations increase requirements for new development and redevelopment projects that include reduction of pollutant discharges. The required amended permit establishes minimum design criteria and maintenance requirements in certain types of development projects. He reported that there are 16 other agencies

that now comprise the Alameda Countywide Clean Water Program that participated in development of the revised Site Design Standards and Guidance for implementation. The two key components of the revised permit include new sections to the ordinance to require developers to implement stormwater treatment measures that must be reviewed and approved by City staff prior to issuance of any building permits and must remain in effect for the life of the development and may be inspected by designated staff for compliance. Lastly, he noted during the review process that a minor change needed to be made to Section 7-1.65 of the Hayward Municipal Code related to the use of certain types of materials that are allowed for new driveway construction. He responded to Council questions related to the Clean Water Act and the allowance of pervious materials as pavers and bricks that may require more maintenance than cement.

There were no requests to speak; Mayor Cooper opened and closed the public hearing at 8:15 p.m.

It was moved by Council Member Ward, seconded by Council Member Henson, and carried with Council Member Dowling absent, to adopt the following:

Introduce Ordinance 05-__, “Ordinance Amending Chapter 11, Article 5 of the Hayward Municipal Code Relating to Stormwater Management and Urban Runoff Control”

Introduce Ordinance 05-__, “Ordinance Amending Chapter 7, Article 1, Section 7-1.65 of the Hayward Municipal Code Relating to Driveway Materials”

3. West A Street Realignment – Hesperian to Golf Course Road: Adopt Mitigated Negative Declaration and Mitigation Monitoring Program

Staff report submitted by Design and Construction Services Manager Fakhrai, dated September 20, 2005, was filed.

Director of Public Works Bauman made the staff report, noting that the recommended mitigation measures for the realignment of West A Street from Hesperian to Golf Course Road would not significantly impact the environment and that the required CEQA documents. The permit applications will be submitted to the required environmental agencies in order to avoid any delay to the project construction which has been scheduled to start in the spring of 2006. He described the contents of the initial study and listed the three major issues with potential significant impacts as air quality, biological resources and hazards and hazardous materials. He discussed the drainage improvements. Director of Public Work Bauman also presented the mitigations such as water sampling for the biological resources that will be addressed in the Sulphur Creek Improvement Project. He responded to Council questions, reporting that a new security gate would replace the current gate at a slightly different location. He also reported that the remainder of the airport property may be used by HARD to relocate golf holes and improve the golf course after this project is completed.

Council Member Halliday asked why the previous week’s action to purchase the lease of the gas station, as it did not seem to encroach on the project property when viewing the graphic. In regards to the gas station lease acquisition, City Manager Armas explained that the economic re-use of the gas station was impaired. This area will improve the circulation and efficiency through the intersection.



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Council Member Halliday also inquired on the wetlands mitigation. Public Works Director Bauman reported that the area to be mitigated is slight and it can be an improvement rather than replacement, which is preferred by the water quality board.

Council Member Henson asked about the impacts to the Skywest Townhouse residents and the airport tower access. Public Works Director Bauman stated that there will be impacts due to construction projects, but there are two accesses available. He indicated that residents would most likely use Golf Course Road. Skywest Drive will continue to have an access to the airport and there is additional access at the end of this project that will include the security gate. Council Member Henson asked about the construction timelines for this project as well as the Target Project. City Manager Armas stated that there will be a considerable amount of construction activity that includes the Target Project, the road project and the intertie installation to serve water customers; this project will trail the Target Project.

Mayor Cooper opened the public hearing at 8:34 p.m.

Kaili Nawahire asked about the contamination of property and its eventual cleanup in regards to the purchase of the lease of the former gas station.

Public Works Director Bauman reported that the entire site has been intensely studied through the auspices of the Regional Water Quality Control Board, who have been actively pursuing those responsible for contaminating the ground. It is processing a document that will relieve the City and any future owners from being sued because of the extensive precautions that will be taken. The gas station site has been given a closure letter from the Regional Water Quality Control Board. There may be some water contamination that will need to be cleared and the City has withheld a certain amount of money in case there is any contamination to clean the gas station site.

Mayor Cooper closed the public hearing at 8:35 p.m.

It was moved by Council Member Henson, seconded by Council Member Jimenez, and carried with Council Member Dowling absent, to adopt the following:

Resolution 05-115, "Resolution Approving the Mitigated Negative Declaration and Mitigation Monitoring Program for the West A Street Realignment-Hesperian Boulevard to Golf Course Road Project, Project No. 5185"

COUNCIL REPORTS

There were no Council Reports.

ADJOURNMENT

Mayor Cooper adjourned the meeting at 8:36 p.m.

APPROVED:

Roberta Cooper, Mayor, City of Hayward

ATTEST:

Angelina Reyes, City Clerk, City of Hayward